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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/916,314	07/30/2001	Kota Yoshikawa	010935	8261	
23850 75	90 01/10/2003				
ARMSTRONG,WESTERMAN & HATTORI, LLP 1725 K STREET, NW SUITE 1000			EXAMINER		
			GARRETT, DAWN L		
WASHINGTON	N, DC 20006		ART UNIT	PAPER NUMBER	
_			1774	5	
			DATE MAILED: 01/10/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.					mx-5				
Examinar Dawn Garrett 1774 1	•	Application	No.	Applicant(s)					
Dawn Garrett		09/916,314		YOSHIKAWA, KOTA					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 3 CFR 1.136(a). In no event, however, may a reply be limitely filled she to 30, 619 MONTHS from the mining date of this communication, supply within the statistic type may be addressed to the provision of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 172(a)). **See the attached delated office action for objects of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 172(a)	Office Action Summary	Examiner		Art Unit					
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be simily find Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be simily find Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be simily find Extensions of the major of the provision of the provision of the provision of the provision of the major of the provision of the provision of the major of the provision of t									
THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CPR 1.13(g). In or event, however, may a righty be timely flind after SIX (g) MCNTTIS from the entiling date of this communication. It NO part for righty is supplied above, the maximum attations period was poly and wit against (g) MCNTTIS from the mailing date of this communication. Failure to righty within the set or extended period for righty will, by statute, cause the application to become ARANDONED (35 U.S. £ § 133). Any righty secreed by the Office active that the from emidling date of this communication, even if the may flind, may reduce any supplied to the secretary of the communication of the provisional patient term regulations after the mailing date of this communication, even if the may flind, may reduce any supplied to the secretary of the communication of the									
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-19 is/are pending in the application. 4a) Of the above claim(s) 4-19 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are epicted. 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The drawing(s) filed on 30 July 2001 is/are: a) cocepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) proved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rue 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s)	A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).								
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DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I and species A in paper no. 4, dated December 4, 2002, is acknowledged. Claims 1-3 are under consideration. Claims 4-19 are withdrawn as nonelected. Applicant's arguments that the devices and methods correspond with each other are not persuasive. The devices and methods are distinct from one another for the reasons set forth in the restriction/election requirement and would not require duplicate searches as stated by applicant.

Specification

2. The abstract of the disclosure is objected to because the abstract is two paragraphs in length rather than one paragraph in length. Correction is required. See MPEP § 608.01(b).

Claim Objections

3. Claim 1 is objected to because of the following informalities: It is suggested that "an oxygen and a moisture" be changed to "oxygen and moisture". Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

⁽b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Tamano et al. (US 5,811,834). Tamano et al. discloses organic electroluminescent devices comprising organic material between electrodes (see col. 23, line 56 through col. 24, line 48). The cathode is formed of two layers or more including materials such as magnesium and calcium (which are alkaline earth metal materials per the "first conductive film") and titanium and ruthenium per the instant "second conductive film". Tamano et al. discloses all components and layers required by instant claims 1-3.

Conclusion

- 6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (703) 305-0788. The examiner can normally be reached Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached at (703) 308-0449. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2351.

D.G.

January 7, 2003

CYNTHIA H. KELLY
SUPERVISORY FORTUIT EXAMINER
TECHNOLOGY CHATER 1700

Cynth Kely